



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,263	01/18/2002	Keith E. Moore	10003897	7654

7590 11/26/2003

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

JAKETIC, BRYAN J

ART UNIT	PAPER NUMBER
----------	--------------

3627

DATE MAILED: 11/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/051,263

Applicant(s)

MOORE, KEITH E.

Examiner

Bryan Jaketic

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2,3
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 8, 10-13, 15, 16, and 20-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Robertson. Robertson discloses a system for electronic commerce comprising a server (60) having a processor (62) and storage for a custom catalog (64). The server is connected to the Internet (40). The custom catalog lists products using product identification having recipient information encoded therein (see Fig. 2, and col. 9, line 55 through col. 10, line 35). Robertson further discloses a registry comprising database structures (see Fig. 11) and instructions for allowing a plurality of participants controlled access to the database and to each other through a participant computer (50; see Abstract and col. 14, lines 40-65). Robertson also teaches that customer may suggest new products to add to the custom catalog (see col. 10, lines 42-44). Roberts also discloses a chat room for a recipient and giver (see col. 20, line 65 through col. 21, line 15).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 7, 9, 14, and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robertson. Robertson discloses all of the limitations detailed in paragraph 2 of this Office Action. Robertson does not teach the use of a single code sequence. However, single code sequences are common in the art, and it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a single code sequence for efficiency.

Robertson does not teach the use of a difference catalog. However, it is common in the art to display new listings only. It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a difference catalog with the invention of Robertson, so that users will only see items of interest.

Robertson does not teach means for printing the custom catalog. However, printing means are common in the art, and it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ printing means with the invention of Robertson to allow a user to have a hard copy of the catalog to view away from a computer.

Robertson does not teach the step of tracking gift credits. However, gift credits are common in the art, and it is common to track them. It would have been obvious to

Art Unit: 3627

one of ordinary skill in the art at the time the invention was made to employ the step of tracking gift credits with the invention of Robertson to allow users to redeem gift credits.

Robertson does not teach the step of reallocating price credits for exchanging products. However, it is common in the art to reallocate price credits for exchanging products. It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the step of reallocating price credits for exchanging products to provide good customer service.

Robertson does not teach the acceptance of a partial purchase of an item. However, it is common in the art to partially purchase an item from a registry. It would have been obvious to one of ordinary skill in the art at the time the invention was made to accept partial purchase of an item to meet customer needs.

5. Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robertson as applied to claim 1 above, and further in view of Underwood et al. Robertson discloses all of the limitations detailed in the preceding paragraphs. Robertson does not disclose a web page catalog template. Underwood et al disclose an array of web page templates that a user may choose from (see Fig. 48; and col. 30 line 53 through col. 31, line 15). It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the teachings of Underwood et al with the invention of Robertson to allow a user to select a template to design the web page catalog to make the process faster.

Neither Robertson nor Underwood et al teach regular pricing and special pricing. However, regular and special pricing are common in the art, and it would have been

Art Unit: 3627

obvious to one of ordinary skill in the art at the time the invention was made to employ both regular and special pricing on items to provide incentives to customers.

Conclusion


6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Blinn et al disclose a registry.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryan Jaketic whose telephone number is (703) 308-0134. The examiner can normally be reached on Monday through Friday (9:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (703)308-5183. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

bj


11/18/03